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SUBJECT: RESULTS OF SME NATIONAL PROTEST: HOW WILL IT END?

A: Mexico 2865

[1](#)B. Mexico 2933

[1](#)C. Mexico 2978

[1](#)D. Mexico 3200

[1](#)1. (SBU) Summary: The much anticipated Sindicato Mexicano de Electricistas (SME) national protest took place as planned on November 11, causing significant traffic complications in the Mexico City area. Sympathizers demonstrated in around 25 states with activities and participation ranging from impressive to symbolic. Mexico City officials estimate that crowds reached around 100,000, but a definitive count is difficult to ascertain because of the 12-hour length and geographic dispersion of activities. Martin Esparza, ex-secretary general of the SME, proclaimed the protest a success and called for a national strike sometime before December. As of the November 14 cut-off date, more than 60% of former Luz y Fuerza del Centro (LFC) workers had accepted the government's severance package. The government's reaction to future SME protests will likely be less tolerant of inconveniences to third parties and interruptions to the flow of business. End Summary.

Limited National Impact

[1](#)2. (SBU) In Mexico City the Asamblea Nacional de Resistencia Popular (ANRP), the SME's umbrella organization for rallying support, produced a crowd of around 100,000 people from at least 34 different social, labor, and student groups including the diocese of Saltillo, university workers and students, Mujeres Libres, Andres Manuel Lopez Obrador's movement, and the tram workers' union. The Partido Revolucionario Democratico (PRD) and other left-leaning political parties sent representatives. By far the largest contingent came from the Sindicato de Telefonistas de la Republica Mexicana (STRM) who turned out in great numbers throughout the country to support the SME.

[1](#)3. (SBU) The ANRP movement was intended to provoke a day of protests and solidarity around the country. Esparza stated that mobilizations took place in 31 states while other sources claim that there were significant activities in 18. By far the most important protests were in Puebla and Hidalgo where LFC had provided services and jobs and in Oaxaca where 70,000 dissident teachers marched in solidarity. Elsewhere around the country, protesters numbered in the hundreds. In most of the states, protesters combined concerns about the national budget or industry-specific issues with demonstrations of solidarity with SME. Telephone workers combined solidarity with the SME with their own issues: the right to offer the "triple play" package of phone, TV, and internet services and in protest of the 3% increase in the telecommunications tax. Telephone workers who protested did so in spite of Telmex owner Carlos Slim's statement that the day would be counted against anyone who failed to report to work. In some states, demonstrators blocked access to the Comision Federal de Electricidad (CFE) buildings to protest CFE's takeover of LFC.

## Mostly Peaceful Activities

14. (SBU) While disruptive, the ANRP march on November 11 was largely peaceful. Protesters limited themselves to the activities planned by the ANRP and never seemed to lose sight of the need for support from the public. Sparking some controversy, protesters carried the standard of the Virgin of Guadalupe with them in the march alongside their pro-LFC placards. Caravans of slow-moving vehicles choked traffic in affluent residential neighborhoods and blocked internal traffic arteries. One of the clearly unsuccessful activities of the national protest from the SME point of view was the failure of Mexico City to put out the lights between 7.30 and 9.30 PM. Sources close to the energy secretary and CFE claim to have noticed very little difference in usage. The only violence reported came from the marchers' occupation of tollbooths on five major highway entrances to Mexico City. ANRP supporters closed tollbooths and allowed motorists to pass without paying on three highways. On the Mexico-Cuernavaca highway, police used teargas to break up the protest. On the Mexico-Queretaro highway a confrontation sent 22 people to the hospital with slight injuries and left eleven protesters under arrest.

## Results of the March - ANRP and GOM

15. (SBU) Esparza said he was pleased with the protest and the support the ANRP received and that the national strike will take place before December. The GOM declared itself supportive of citizens' rights to protest and express themselves but suggested that it will be much less tolerant of interruptions to the rights of other citizens in the future. After the November 11 protest, the rate of former LFC workers accepting severance increased, and by the November 14 cutoff, 62% of former LFC workers had accepted

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severance. Esparza disputes this number, stating that his own figures are much lower. The GOM countered that their numbers are auditable and a matter for the public record. CFE has begun the process of rehiring some of the LFC workers who have accepted severance. Workers who join CFE will receive a stipend and a transportation bonus during two months of training. CFE is expected to offer contracts to 1000 workers by the end of November.

## Changes in the Courts

16. (SBU) Meanwhile, the SME's struggle to regain its existence is moving through the legal system. The SME achieved an important victory early in its legal battle when a judge ruled that the Junta Federal de Conciliacion y Arbitraje (JFCA) could not make a ruling on the case until all lawsuits had been settled in the courts. Since then, however, the SME has received less favorable decisions. On November 11, the president of the Supreme Court declared that Article 97 of the Mexican Constitution only allows the president, the National Congress, governors, and courts to bring a request for the creation of a special commission to investigate the legality of the liquidation of LFC, a petition originally brought by the SME. The judge did, however, decide to allow other court justices to review the petition, citing the cases of the Guarderia ABC of Hermosillo and San Salvador Atenco as precedent. Also on November 11, a different Supreme Court judge threw out the petition presented by the Legislative Assembly of the Distrito Federal (ALDF), again citing the impropriety of the source of the petition. Although no hearing dates have been published, this is a high-profile series of cases, and the courts are likely to continue processing SME cases quickly.

## The End Is Near?

17. (SBU) Comment: Both the SME and the GOM are reaching the point where something has to give. Both sides remain committed to their positions. The GOM has infinitely more resources at its disposal, and though its public relations campaign has lost its novelty and polish, the SME's public support is not increasing. The SME continues to produce so-called evidence of the GOM's villainy and to insist on a complete reversal of the decision; it strives to demonstrate the culpability of the GOM in the management of LFC and to redeem the reputation of the ex-LFC workers. While the marches

and the protests are examples of social engagement and a reading of the state of Mexican social cohesion, the real legacy of this situation will come out of the courts and from the nature of the end of the struggle. Since 2000 the Supreme Court has steadily increased its independence from the governing party and has become less predictable and more rigorous in its rulings. If the SME can put together a case worthy of hearing in the courts, the ruling could have far-reaching implications for both the GOM and unions in Mexico. End comment.